

REMARKS

Claim Rejections

Claims 1-3 and 5-8 stand rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 6,682,423 (Brosnan et al.) and U.S. Patent Pub. No. 2001/0041612 A1 (Garahi et al.). Claim 4 stands rejected under 35 U.S.C. 103(a) as unpatentable over Brosnan et al., Garahi et al. and U.S. Patent No. 5,876,284 (Acres et al.). Claim 9 stands rejected under 35 U.S.C. 103(a) as unpatentable over Brosnan et al., Garahi et al. and U.S. Patent No. 6,110,044 (Stern).

Claim Amendments

The claims are amended to further patentably distinguish over Bronson et al. and Garahi et al.

The Cited Art

Brosnan et al. discloses a gaming machine network 50. The network 50 includes a community of gaming machines 2, servers 71-74, communication interfaces 52, and a network 60. The network 60 provides digital communication between all the nodes in the network 50. (Col. 6, lines 14-21). The servers 71-74 each provide a separate gaming service for the gaming machines. (Col. 6, lines 37-44).

The gaming machines 2a-2c communicate with the network 60 through communication interfaces 52a-52c. (Col. 7, lines 4-14). A gaming machine interface is located in a gaming machine top box 209 or on a main communication board 210 within a gaming machine cabinet. Alternatively, a gaming machine interface may be mounted to the side of a gaming machine cabinet. (Col. 14, lines 6-15; FIG. 1B).

The servers 71-74 communicate with the network 60 via communication interfaces 52d-52g. The communication interfaces 52d-52g provide data transmission and communication protocol translation services for the servers 71-74. (Col. 6, lines 47-50). Each server may use a different proprietary communication protocol, remote computer, and proprietary network hardware and connection scheme to communicate game information within the gaming machine network 50. A communication interface for each server is then responsible for providing data transmission services for each server onto the common protocol and hardware used on the network 60. (Col. 6, lines 54-61).

The gaming machines and the servers are connected to their respective communication interfaces by a wired game service connection 54. (Col 7, lines 4-6; Col. 8, lines 57-60; Col. 9,

lines 19-23; FIG. 1A). The communication interfaces 52a-52c for the gaming machines are connected to the network 60 by network lines 57. The network lines may use a wired, wireless or combination connection scheme. (Col. 10, lines 2-6; col. 16, lines 55-61; FIG. 1A). The communication interfaces 52d-52g for the servers are in communication with the network 60 via an appropriate communication protocol. (Col. 6, lines 58-66).

Garahi et al. discloses a wagering data hub 12 suitable for use with an interactive wagering system 10. The hub 12 includes a data distribution system 100, a data interface 102, a database 104 and a wireless server 116. (¶0042). The hub 12 controls the wagering system 10. The hub 12 is coupled to a television set-top box 14, a user computer 16, a wireless device 18 and a telephone 20. (¶0029). The wireless device 18 communicates with the hub 12 via the wireless server 116. (¶0046).

Acres et al. is directed to a system for monitoring and configuring gaming devices interconnected over a network. (Abstract). The system can turn a bonus pool on if certain bonus conditions are met. The bonus conditions include, but are not limited to, a minimum period of time since the last bonus activation, a minimum level of play in a time period prior to the bonus pool reaching the turn on level, or a predetermined time of day. (Col. 37, lines 44-50).

Applicants' Claimed Invention Would Not Have Been Obvious

Three criteria must be met to establish obviousness. First, the prior art must provide one of ordinary skill in the art with a suggestion or motivation to modify or combine the teachings of the references relied upon in rejecting the claims. Second, the prior art must provide one of ordinary skill in the art with a reasonable expectation of success. Third, the prior art, either alone or in combination, must teach or suggest each and every limitation of the rejected claims. The teaching or suggestion to make the claimed invention, as well as the reasonable expectation of success, must come from the prior art and not from Applicants' disclosure. If any one of these criteria is not met, a case of obviousness is not established. Also, some articulated reasoning with rational underpinnings must be provided to support a *prima facie* case of obviousness.

It is respectfully submitted that the pending claims would not have been obvious in view of Brosnan et al. and Garahi et al., either alone or in combination with other references.

Claim 1 is directed to a gaming network including a plurality secure wireless servers structured to couple to one or more information servers. The secure wireless servers are located in an area of a gaming floor in which gaming machines are available for play. The gaming network further includes a portable secure wireless receiver structured to couple via a wireless link to at least one of the secure wireless servers and to create a secure data channel between that

secure wireless server and the secure wireless receiver. Additionally, the at least one secure wireless server is structured to create a session with the secure wireless receiver only at certain times. The at least one secure wireless server is also structured to terminate the session if the secure wireless receiver is not used for a predetermined period of time.

Claim 5 calls for a system for redeeming tickets. The system includes a plurality of secure wireless servers structured to couple to one or more information servers. The secure wireless servers are distributed around a gaming floor in which at least one gaming machine is located. The system further includes a portable secure wireless receiver, other than the one or more information servers, structured to couple via a wireless link to at least one of the secure wireless servers and create a secure data channel between the at least one secure wireless server and the secure wireless receiver. Additionally the at least one secure wireless server is structured to create a session with the secure wireless receiver only at certain times. The at least one secure wireless server is also structured to terminate the session if the secure wireless receiver is not used for a predetermined period of time.

It was said in the Office Action that the communication interfaces 52a-52c for the gaming machines 2a-2c correspond to secure wireless receivers. (Office Action ¶4). However, the amended claims specify that the secure wireless receiver is a portable device. As conceded in the Office Action, the communication interfaces 52a-52c are not portable. (*Id*). Indeed, they are either mounted to a gaming machine, or they are located inside the cabinet or top box of a gaming machine. (Col. 14, lines 6-15; FIG. 1B).

To cure this deficiency, Garahi et al. is relied upon. Specifically, it was said that Garahi et al. discloses the use of a wireless device 18. (Office Action ¶4). The wireless device 18 may be a cellular telephone.

However, it is respectfully submitted that there is no suggestion or motivation in any of the references for replacing Brosnan et al.'s communication interfaces 52a-52c with cell phones. The communication interfaces 52a-52c are located inside the cabinet or top box of a gaming machine, or they are mounted to a gaming machine. They are also wired to the gaming machine. There is no reason to make these interfaces portable such that they may be carried from one gaming machine to another. Indeed, if such was the case, then as one communication interface is moved between gaming machines, these gaming machines would be without a communication interface. This would defeat the very purpose of the Brosnan et al. system, that is, providing communication services for the gaming machines via the wired connection 54. (Col. 7, lines 4-14). Moreover, the fact that the communication interfaces 52a-52c are hardwired to the gaming machines clearly teaches away from the use of portable communication interfaces.

Further, Brosnan et al. discloses that the network lines 57a-57c between the communication interfaces 52a-52c for the gaming machines 2a-2c may use a wireless scheme to connect to the network 60. The servers 71-74 of Brosnan et al. are also connected to the network 60 by the communication interfaces 52d-52g. The communication interfaces 52d-52g are connected to the servers 71-74 by a wired game service connection 54. (Col. 7, lines 4-6; Col. 8, lines 57-60; Col. 9, lines 19-23; FIG. 1A). The communication interfaces 52d-52g are, in turn, connected to the network 60 via an appropriate communication protocol. (Col. 6, lines 58-66). There is no disclosure that the interfaces 52d-52g are wirelessly connected to the network 60.

Nonetheless, in the Office Action, it was said that the communication interfaces 52d-52g are secure wireless devices. (Office Action ¶4.). Support for this conclusion was supposed to be found in Brosnan et al. “in column 9, starting on line 47”. (Office Action ¶14). However, this disclosure only relates to the network lines 57a-57c for the gaming machine communication interfaces 52a-52c and not to the server communication interfaces 52d-52g. This follows from the fact that the arrows between the server communication interface 52d-52g and the network 60 are of a different type than the arrows between the gaming machine communication interfaces 52a-52c and the network 60. Additionally, the arrows between the server communication interfaces 52d-52g and the network 60 are not labeled with the references number 57. Also, this particular disclosure relates to “the process of reconfiguring a large number of gaming machines on a casino floor” and not to reconfiguring the servers 71-74. (Col. 9, lines 62-66). As such, there is no disclosure that the server communications interfaces 52d-52g are wireless devices.

Also, as conceded in the Office Action, the communication interfaces 52d-52g are not servers. (Office Action, ¶1). Rather, they provide data transmission services and hardware connectivity for each of the servers 71-74. (Col. 6, line 58 to Col. 7, line 3).

To cure this deficiency, the disclosure of Garahi et al. is again relied upon. Garahi et al. discloses that the wagering data hub 12 includes the wireless server 116. (¶0042). The wireless server 116 enables the wireless device 18 and the hub 12 to communicate with each other. (¶0046, 0057). The wireless server 116 is part of a wireless wagering control system 26 of the hub 12. (¶0046). The wireless server 116 is located remotely from a racetrack 42. Data from the racetrack is provided to the hub 12 by a racing data provider 36 via communication links 72 and 78. (¶0041). A wager may be placed on a race using the wireless device 18 which, as noted, is in communication with the wagering hub 12 via the wireless server 116. As such, the wireless server 116 is “in range” of the wireless device 18.

However, the wireless server 116 does not need to be, and is not, located in an area in which gaming machines are available from play as called for by claim 1 or distributed around a

gaming floor in which at least one of the gaming machines is located as called for by claim 5. Rather, the wireless device 18 is “in range” of the wireless server 116.

Similarly, the communication interfaces 52d-52g of Brosnan et al. are not located in an area of a casino, for example, in which gaming machines are available for play. Instead, the communication interfaces are located on the network 60 at a location remote from the gaming machines. (Col. 6, lines 47-61).

Additionally, none of the cited references disclose at least one secure wireless server that is structured to create a session with a secure wireless receiver only at certain times and to terminate the session if the secure wireless receiver is not used for a predetermined period of time. Acres et al., which was apparently relied upon as disclosing an aspect of this feature, is directed to establishing a bonus game. The bonus game may take place during a predetermined time of day or upon the occurrence of other predetermined conditions. (Col. 37, lines 44-50). Acres, however, does not disclose a secure wireless server and secure wireless receiver structured to operate as called for by amended claims 1 and 5.

As such, the combination of Brosnan et al., Garahi et al. and Acres et al. would not have resulted in Applicants’ claimed invention.

Further, no reference has been cited to establish that secure communications within the context of Applicants’ claimed invention would have been obvious. (Office Action ¶4). Also, no support has been provided for the argument that the “use of multiple servers is a well known feature”. (*Id.*). Suitable evidence to establish a *prima facie* case of obviousness, if available, must be provided. MPEP § 2144.03.

Thus, for at least these additional reasons, the pending claims would not have been obvious in view of the cited references.

Conclusion

In view of the foregoing, it is respectfully submitted that all the claims are now in condition for allowance. Accordingly, allowance of the claims at the earliest possible date is requested.

If prosecution of this application can be assisted by telephone, the Examiner is requested to call Applicants’ undersigned attorney at (510) 663-1100.

If any fees are due in connection with the filing of this amendment (including any fees due for an extension of time), such fees may be charged to Deposit Account No. 504480 (Order No. IGT1P304).

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